

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF MAY 12, 2016**

**PER CURIAM ORDERS**

REVIEWS GRANTED: Petition for review was granted today in the following cases.

CV-15-1045. Antonio Martini v. Christopher Price, from Faulkner County Circuit Court. Wood, J., would deny.

[CV-15-860](#). Jeannie Sherman v. Raymond Boeckmann, from Cross County Circuit Court. Court of Appeals' opinion vacated and remanded for further consideration. See **per curiam** this date.

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REVIEWS DENIED: Petitions for review were denied today in the following cases.

CV-16-221. Susan Hill v. Tabitha Marshall Powell, from Lonoke County Circuit Court.

CV-16-302. Sarha Jane Sisemore and Jarid Sisemore v. Arkansas Department of Human Services and H.S., Minor Child, from Madison County Circuit Court. Hart, J., would grant.

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CR-15-1067. Jeremy Edward Whalen v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Bell Island for admission pro hac vice is granted.

CR-15-1067. Jeremy Edward Whalen v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. National College of DUI defense request for leave to participate as amicus curiae is granted.

CR-16-344. Terrance Washington v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on clerk is granted.

CV-15-900. United Food and Commercial Workers International Union, Organization United for Respect at Walmart (Our Walmart), and John Does 1-10 v. Wal-Mart Stores, Inc.; Wal-Mart Stores Arkansas, LLC; Wal-Mart Stores East, LP; Wal-Mart Realty Company; Wal-Mart Real Estate Business Trust; Sam's West, Inc.; and Beaver Lake Aviation, Inc.; from Benton County Circuit Court. Appellants' unopposed motion to reschedule oral argument is granted. Baker, J., would deny.

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CV-15-900. United Food and Commercial Workers International Union, Organization United for Respect at Walmart (Our Walmart), and John Does 1-10 v. Wal-Mart Stores, Inc.; Wal-Mart Stores Arkansas, LLC; Wal-Mart Stores East, LP; Wal-Mart Realty Company; Wal-Mart Real Estate Business Trust; Sam's West, Inc.; and Beaver Lake Aviation, Inc.; from Benton County Circuit Court. Motion of Joey J. Hipolito to appear pro hac vice is granted.

CV-15-999. Capital SeniorCare Ventures, LLC; SLC Operations Master Tenant, LLC; Senior Living Communities of Arkansas, LLC; SLC Professionals, LLC f/k/a SLC Professionals of Arkansas, LLC; Senior Vantage Point, LLC; ADDIT, LLC; John W. Dwyer; Capital Funding Group, Inc.; CSCV Holdings, LLC; Arkansas SNF Operations Acquisition, LLC; Arkansas Nursing Home Acquisition, LLC; Premier Health and Rehabilitation, LLC; North Little Rock Holdings, LLC; Steve Hudgens, In His Capacity as Administrator of Premier Health and Rehabilitation, LLC; and John Does 1 through 5 v. The Circuit Court of Pulaski County, Arkansas, and Cindy Clough, Personal Representative of the Estate of Joyce Lee Vinson, Deceased, from Pulaski County Circuit Court, Sixth Division. Petitioner's motion for reconsideration is denied.

[CV-16-46](#). Jeannie Sherman v. Cross County Circuit Court and Raymond Boeckmann, from Cross County Circuit Court. Appellant's petition for writ of prohibition or certiorari. Petition for writ of prohibition or certiorari denied; temporary stay pending resolution of petition for writ of prohibition or certiorari dissolved. See **per curiam** this date.

[CV-16-187](#). In Re Arkansas Bar Association Petition to Amend Rules 1.2, 4.2, and 4.3 of the Arkansas Rules of Professional Conduct, an Original Action. Petition to amend Rules 1.2, 4.2, and 4.3 of the Arkansas Rules of Professional Conduct. Petition granted. See **per curiam** this date.

CV-16-361. Carl Jason Jackson v. Arkansas Department of Human Services and C.J., Minor Child, from Conway County Circuit Court. Appellant's motion for rule on clerk is granted. Danielson, J., would deny.

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[CR-94-1016](#). Clarence James Ashby v. State of Arkansas, from Saline County Circuit Court. Petitioner's pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis and motion to grant petition. Petition and motion denied. See **per curiam** this date.

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CR-03-1181. Abraham Grant v. State of Arkansas, from Phillips County Circuit Court. Petitioner's sixth pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis. Motion dismissed.

CR-15-885. Jon Mills v. State of Arkansas, from Saline County Circuit Court. Appellee's motion to dismiss appeal is granted.

CR-15-968. Willie James Smith v. State of Arkansas, from Ashley County Circuit Court. Appellee's motion to dismiss appeal is granted.

CR-15-1029. Xavier Thomas v. State of Arkansas, from Jefferson County Circuit Court. Appellee's motion to dismiss appeal is granted.

CR-16-280. Brian Joseph Woodall v. State of Arkansas, from Lonoke County Circuit Court. Petitioner's pro se motion for belated appeal is dismissed.

[CV-15-789](#). Malik Muntaqim v. Gaylon R. Lay et al., from Jefferson County Circuit Court. Appellant's pro se motion for a belated non-conforming reply brief. Motion denied; conforming reply brief due 60 days from the date of this opinion. See **per curiam** this date.

In Re Arkansas Access to Justice Foundation, Inc. See [per curiam](#) this date.

Bill Waddell, Esq., of Little Rock is reappointed to the Board of Directors of Arkansas Access to Justice Foundation, Inc., for a three-year term to expire on April 30, 2019. We thank Mr. Waddell for accepting reappointment to the board and for his work in this important endeavor.

Victoria Smith, Esq., of Fayetteville is appointed to the Board of Directors of Arkansas Access to Justice Foundation, Inc., for a three-year term to expire on April 30, 2019. We thank Ms. Smith for accepting appointment to the board.

Finally, the court expresses its gratitude to Dick Downing, Esq., of Little Rock, whose term has expired, for his years of valuable service to the board.

In Re Recommendations of the Committee on Civil Practice. See [per curiam](#) this date.

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**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF MAY 12, 2016**

**MOTIONS SUBMITTED**

**PETITION FOR REHEARING:**

CR-15-68. Latavious D. Johnson v. State of Arkansas, from Lee County Circuit Court.

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**PETITIONS FOR REVIEW:**

CV-15-1040. Tricia Dundee v. Brenda Horton and Geico General Insurance Company, from Sebastian County Circuit Court, Greenwood District.

CV-16-9. Tim Caldwell v. Columbia Mutual Insurance Company, from Lee County Circuit Court.

CV-16-82. Alicia Dawn Neumann v. Lloyd Draughon Smith, from Miller County Circuit Court.

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CR-16-125. Arthur L. Hicks v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant’s motion to remand to settle the record and to stay briefing.

CR-16-134. Frank P. Campbell v. State of Arkansas, from Carroll County Circuit Court, Eastern District. Resubmission of appellant’s motion to declare defendant indigent and to order the circuit clerk and court reporter to prepare the record.

CV-15-935. Stephens Production Company v. Kathy Bennett, Franklin County Assessor; Sylvie Knoles, Franklin County Collector; and Franklin County, Arkansas, from Franklin County Circuit Court, Northern District. Appellant’s motion for permission to file supplemental brief.

CV-16-10. Erin Lane Potts v. Timothy D. Potts, Jr., from Sebastian County Circuit Court, Fort Smith District. Appellant’s motion to file supplemental briefs.

CV-16-113. Theresa Marshall v. Deutsche Bank National Trust Company, as Trustee for Vendee Mortgage Trust 1993-1, from Pulaski County Circuit Court, Fifth Division. Appellant’s motion for extension of time to pay filing fee, motion for clarification of Court’s decision of May 6, 2016.

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**MOTIONS SUBMITTED**

CV-16-183. Cardinal Health v. Beth's Bail Bonds, Inc., and Cassondrea Livingston, from Pulaski County Circuit Court, Sixth District. Motion to supplement record in order to complete partial record lodged on February 26, 2016.

CV-16-196. Cynthia Lou Horton and Anthony Bryce Brewer, as the Special Administrators of the Estate of Prentice Byars Young v. Deborah Ann Mitchell, from Marion County Circuit Court. Appellant's second motion to correct the record or, in the alternative, petition for writ of certiorari to complete the record.

CV-16-375. Kathy Roberts and Karen McShane v. Unimin Corporation, from the United States District Court, Eastern District of Arkansas, Batesville Division. Motion to certify a question of law.

D-16-406. In Re Heidi Atkins Lieberman, Arkansas Bar No. 84168, an Original Action. Petition of Heidi Atkins Lieberman, Arkansas Bar No. 84168, for voluntary surrender of license (resignation).

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CR-06-1327. Terry Lee Ward v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se motions for amended notice of appeal and for amended belated appeal and for copy of briefs and other relief to correct or amend filings.

CR-15-853. Bryant Turner v. State of Arkansas, from Faulkner County Circuit Court. Petitioner's pro se motion to file belated brief.

CV-15-870. Frank Watts II v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Pro se petition for writ of mandamus, motion for extension of time to file brief, petition for correction or modification of the record, and motion for rule on clerk.

CV-16-167. Billy Ray Smith v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court. Motion for appointment of counsel and for an extension of time in which to file first appellant brief.

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**CASES SUBMITTED**

CR-15-927. Dion Robinson v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-15-1009. James Edward Green, Jr. v. State of Arkansas, from Drew County Circuit Court.

CV-15-966. Gerber Products Company v. David Hewett II, Aaron Johnson, James Lane, Ralph Larossa, Jr., and Jerry Osborne, from Sebastian County Circuit Court, Fort Smith District. Orally argued.

CV-15-902. In the Matter of James S. Corn, a Disabled Person, from Pulaski County Circuit Court, Twelfth Division.